



WISCONSIN LEGISLATIVE COUNCIL

JOINT LEGISLATIVE COUNCIL MINUTES

Room 412 East, State Capitol
Madison, Wisconsin

March 12, 2003
8:40 a.m. - 9:35 a.m.

[The following is a summary of the March 12, 2003 meeting of the Joint Legislative Council. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting and a copy of the registration form listing those who attended. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc/2002studies.htm>.]

Call to Order and Roll Call

Co-Chair Lasee called the meeting to order. He deferred calling the roll and approving the minutes until a quorum was present.

He began his remarks by stating that the Special Committee on State-Tribal Relations will not be giving their report to the Council today. The committee has asked that they be given more time in order to include additional legislation with their current recommendations. The report will be on the agenda of the next Council meeting. That meeting will be set when the remaining special committees have completed their assignments.

Co-Chair Lasee said that because of the tightly scheduled agenda, it would not be possible to accommodate any public appearances. He noted that because some Council members were going to be arriving late, that the reports would be heard first and the votes taken at the end of the meeting. He stressed, however, that members need to be present before the meeting adjourned in order to have their vote recorded.

Next, he mentioned that the Joint Legislative Council members would soon be receiving a mail ballot on the biennial appointment of Law Revision Committee members for their approval. A copy of that ballot is attached to these minutes.

Last, Co-Chair Lasee announced that Senator Mary Lazich has resigned from the Council. A replacement will be made in the near future. A copy of Senator Lazich's letter is attached to these minutes.

COMMITTEE MEMBERS PRESENT: Sen. Alan Lasee and Rep. Steve Wieckert, Co-Chairs; Sens. Alberta Darling, Jon Erpenbach, Sheila Harsdorf, Mary Panzer, Fred Risser, and Robert Welch; and Reps. Spencer Coggs, Steven Foti, Stephen Freese, John Gard, Dean Kaufert, Jim Kreuser, Michael Lehman, Marlin Schneider, John Townsend, and David Travis.

COMMITTEE MEMBERS EXCUSED: Sens. Russell Decker, Michael Ellis, and Gary George.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Laura Rose, Deputy Director; Don Dyke, Chief of Legal Services; Mark Patronskey, Anne Sappenfield, Ronald Sklansky, and Russ Whitesel, Senior Staff Attorneys; Rachel Letzing, Staff Attorney; Dan Schmidt, Analyst; and Wendy Ulrich and Kelly Mautz, Administrative Assistants.

APPEARANCES: Sen. Dave Hansen and Rep. Daniel Vrakas, Co-Chairs, Special Committee on Mental Health Parity; Sen. Fred A. Risser and Rep. Stephen Freese, Co-Chairs, Special Committee on Review of Fireworks Law; and Sen. Gwen Moore and Rep. Steve Kestell, Co-Chairs, Special Committee on Relative Caregivers.

Approval of the Minutes of the Committee's February 19, 2003 Meeting

It was moved by Rep. Freese, seconded by Co-Chair Wieckert, that the minutes of the February 19, 2003 meeting be approved. The motion passed by a unanimous voice vote.

Consideration of 2002 Study Committee Reports:

Report of the Special Committee on Mental Health Parity

Senator Dave Hansen and Representative Daniel Vrakas, Co-Chairs, reported on the activities of the committee and described LRB-1978/2 and LRB-1979/1, the committee's recommended drafts.

Senator Hansen praised the work and spoke in favor of both recommended drafts. Representative Vrakas expressed his support for LRB-1978/2, but stated he did not support LRB-1979/1 because he felt it would raise the cost of health care insurance at a time when those costs were already too high. He also indicated his disappointment that the committee was not able to agree on a creative compromise that could be supported by all of the interested parties.

Report of the Special Committee on Review of Fireworks Law

Senator Fred A. Risser and Representative Stephen Freese, Co-Chairs, presented three drafts recommended by the Special Committee on Review of Fireworks Law: LRB-2111/1, LRB-2112/1, and LRB-2113/1.

Co-Chair Lasee asked if there was any discussion on any of these proposals.

Report of the Special Committee on Relative Caregivers

Senator Gwen Moore and Representative Steve Kestell presented the report of the Special Committee on Relative Caregivers and described WLC: 0127/1.

Co-Chair Lasee asked if there was any discussion on this proposal.

After a question from Senator Welch on whether the committee had gathered information on the fiscal impact of the bill, there was no further discussion.

Votes on 2002 Study Committee Reports

- **Mental Health Parity**

Rep. Freese moved, seconded by Sen. Panzer, that LRB-1978/2, relating to treatment of prescription drug costs, diagnostic testing, and payments under mandated insurance coverage of treatment for nervous and mental disorders and alcoholism and other drug abuse problems and granting rule-making authority, be introduced by the Joint Legislative Council. The motion passed by a voice vote.

[Sen. Welch asked that the record reflect that he voted "no" on LRB-1978/2.]

Sen. Erpenbach moved, seconded by Rep. Coggs, that LRB-1979/1, relating to increasing the limits for insurance coverage of nervous or mental health disorders or alcoholism or other drug abuse problems, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 13 (Sens. Erpenbach, Harsdorf, Panzer, and Risser; and Reps. Coggs, Foti, Freese, Kaufert, Kreuser, Lehman, Schneider, Townsend, and Travis); Noes, 4 (Sens. Lasee, Darling, and Welch; and Rep. Wieckert); Absent, 4 (Sens. Decker, Ellis, and George; and Rep. Gard); and Vacancy, 1.

[Rep. Gard noted that had he been present, he would have voted "aye" on LRB-1979/1.]

- **Review of Fireworks Law**

Sen. Risser moved, seconded by Rep. Freese, that LRB-2111/1, relating to creating a civil liability exemption for certain municipalities and their agents that issue fireworks permits, be introduced by the Joint Legislative Council. The motion passed by a unanimous voice vote.

Sen. Risser moved, seconded by Rep. Travis, that LRB-2112/1, relating to the sale of fireworks; fireworks permits and displays; shipping fireworks; fireworks wholesalers licenses; disposition of seized fireworks; fireworks enforcement; granting rule-making authority; making an appropriation and providing a penalty, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 6 (Sens. Erpenbach and Risser; and Reps. Coggs, Kreuser, Schneider, and Travis); Noes, 11 (Sens. Lasee, Darling, Harsdorf, Panzer, and Welch; and Reps. Wieckert, Foti, Freese, Kaufert, Lehman, and Townsend); Absent, 4 (Sens. Decker, Ellis, and George; and Rep. Gard); and Vacancy, 1.

[Rep. Gard noted that had he been present, he would have voted "no" on LRB-2112/1.]

Sen. Risser moved, seconded by Sen. Erpenbach, that LRB-2113/1, relating to the sale of fireworks from certain locations, and providing a penalty, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 5 (Sens. Erpenbach and Risser; and Reps. Coggs, Kreuser, and Travis); Noes, 12 (Sens. Lasee, Darling, Harsdorf, Panzer, and Welch; and Reps. Wieckert, Foti, Freese, Kaufert, Lehman, Schneider, and Townsend); Absent, 4 (Sens. Decker, Ellis, and George; and Rep. Gard); and Vacancy, 1.

[Rep. Gard noted that had he been present, he would have voted "no" on LRB-2113/1.]

- **Relative Caregivers**

Rep. Freese moved, seconded by Rep. Coggs, that WLC: 0127/1, relating to the kinship care program, notice of guardianship proceedings, creating a medical services consent form, and requesting the Joint Legislative Council to study guardianship and legal custody, be introduced by the Joint Legislative Council. The motion passed by a unanimous voice vote.

Consideration of 2001 Joint Legislative Council Bills for Reintroduction

Co-Chair Lasee asked if there was a motion to reintroduce the 10 bills from last session that entered the legislative process late and adequate time was not available for proper consideration. The bills are:

- *Assembly Bills 667, 668, 669 and 670, Recodification of Operating While Intoxicated and Safety Laws*
- *Assembly Bill 672, Use of Prescription Drugs for Children*
- *Assembly Bill 781, Condominium Law Review*
- *Senate Bill 126, Guardians Ad Litem in Actions Affecting the Family*
- *Senate Bills 231 and 289, Developmental Disabilities*
- *WLC: 0243/1, Navigable Waters Recodification*

Representative Freese asked that these bills be voted on as one package.

Rep. Freese moved, seconded by Rep. Foti, that the nine bills and one WLC draft proposed for reintroduction be reintroduced, en masse. The motion to introduce was approved by a voice vote.

[Sen. Welch asked that the record reflect that he voted “no” on WLC: 0243/1, recodification of navigable waters.]

Other Business

There was no other business to come before the committee.

Adjournment

The meeting was adjourned at 9.35 a.m.

TCA:wu;ksm

Attachments



SUMMARY OF MARCH 12, 2003
JOINT LEGISLATIVE COUNCIL MAIL BALLOT
[RESULTS WILL BE TABULATED AND AVAILABLE AFTER MARCH 20, 2003]

Appointment of Law Revision Committee

Motion: The Co-Chairs recommend appointment of the officers and members of the **Law Revision Committee** [s. 13.83 (1), Stats.], as set forth below:

LEGISLATORS

Sen. Mary Lazich, **Co-Chair**
Sen. Tim Carpenter
Sen. Tom Reynolds
Sen. Fred A. Risser
Sen. Cathy Stepp

Rep. Glenn Grothman, **Co-Chair**
Rep. Terese Berceau
Rep. Tom Hebl
Rep. Scott Suder
Rep. Jeffrey Wood

Study Assignment: The committee is directed, pursuant to s. 13.83 (1), Stats., to (a) review remedial legislation based on nonsubstantive changes recommended by agencies; (b) review court decisions and opinions of the Attorney General which state that a statute is unconstitutional, ambiguous or otherwise in need of revision; (c) review Revisor's correction bills; (d) review suggestions for major codifications and revisions of the statutes; (e) cooperate with the Revisor of Statutes in identifying statutory provisions in need of revision; and (f) perform functions related to interstate compacts and agreements.

13.83 (1) LAW REVISION COMMITTEE. (a) Prior to June 1 of each odd-numbered year, the joint legislative council shall appoint a law revision committee consisting of members of the senate and assembly, including at least one member of the majority party and at least one member of the minority party from each house.



Mary Lazich

State Senator
Senate District 28

March 11, 2003

The Honorable Senate
State Capitol
Madison, Wisconsin 53707

Please accept my resignation as a member of the 2003-04 Joint Legislative Council effective today, March 11, 2003. If elected, I welcome the opportunity to serve on the Joint Law Revision Committee.

Sincerely,

A handwritten signature in cursive script that reads "Mary Lazich".

Mary Lazich
State Senator
Senate District 28